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Message Text

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PAGE 01 PANAMA 06031 212128Z
ACTION SNM-05

INFO OCT-01 ARA-14 ISO-00 L-03 PPTE-00 CA-01 DEAE-00
/024 W
----------068985 220535Z /11
R 212118Z AUG 78
FM AMEMBASSY PANAMA
TO SECSTATE WASHDC 8511

UNCLAS PANAMA 06031

E.O. 11652: N/A
TAGS: SNAR, PN
SUBJ: NARCOTICS LAWS

REF: STATE 170187

1. (1) POSSESSION: A) THERE IS NO DIFFERENTIATION MADE IN PANAMANIAN LAW FOR THE POSSESSION OF MARIJUANA, HEROIN, COCAINE, OR OTHER CONTROLLED SUBSTANCES; ALL CARRY A SENTENCE OF 1-3 YEARS. B) THERE IS NO QUALIFYING AMOUNT TO BE IN POSSESSION FOR OPERATION OF THE OFFENSE. C) THE PENALTY FOR POSSESSION IS LESS SEVERE THAN THE PENALTY FOR TRAFFICKING, WHICH IS 2-3 YEARS, AND MORE SEVERE THAN THE PENALTY FOR USE, WHICH IS 6 MONTHS TO 1 YEAR.

(2) TRAFFICKING: A) THE LAW CONSOLIDATES ALL CONTROLLED SUBSTANCES INTO A GENERAL TRAFFICKING OFFENSE. B) THE PENALTY FOR TRAFFICKING IS 2-3 YEARS (IN ALL DRUG-RELATED OFFENSES, THE MAXIMUM PENALTY IS APPLIED TO PREVIOUS OFFENDERS); NEITHER BAIL NOR PAROLE IS PROVIDED IN ANY DRUG-RELATED CASE. C) THE LAW DOES NOT STATE ANY SET AMOUNT IN POSSESSION TO CONSTITUTE TRAFFICKING AS OPPOSED TO MERE POSSESSION; IT IS LEFT UP TO THE AUTHORITIES TO DECIDE WHAT SHOULD APPLY IN EACH CASE. D) THE LAW DOES NOT STATE THAT CONSPIRACY TO TRAFFIC IS A
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CRIMINAL OFFENSE.

(3) CULTIVATION, PRODUCTION, ELABORATION: A) THE CULTIVATION OF CANNABIS, COCA, AND OPIUM POPPY IS PROHIBITED; THE PENALTY IS 5-10 YEARS IN THE PRISON COLONY OF COIBA. B) N/A. C) THE PENALTY FOR ELABORATING NARCOTICS SUBSTANCES FROM CANNABIS, COCA, AND OPIUM POPPY

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IS 5-10 YEARS IN THE PRISON COLONY OF COIBA.

(4) FINANCIAL: A) PANAMANIAN LAW DOES NOT CITE FINANCIAL SUPPORT FOR CULTIVATION, ELABORATION OR TRAFFICKING, AS BEING AN OFFENSE. B) THERE ARE NO CURRENCY CONTROL LAWS DUE TO THE FACT THAT U. S. CURRENCY IS USED IN PANAMA.

(5) CRIMINAL PROCEDURE: A) THERE IS A PERIOD OF INVESTIGATIVE DETENTION IN PRACTICE (BUT NOT IN LAW) OF AN INDEFINITE PERIOD. CONSULAR ACCESS IS USUALLY PERMITTED DURING THIS PERIOD, BUT SUSPECT MAY BE HELD INCOMMUNICADO UP TO ONE WEEK. THE EMBASSY IS NOT USUALLY NOTIFIED OF ARRESTS DURING THIS PERIOD.
B) THE LENGTH OF PRE-TRIAL DETENTION IS FROM 2-6 MONTHS.
C) THE LENGTH OF THE TRIAL PROCESS IS 2-4 MONTHS,
(I) TRIAL - 1 DAY, (II) REVIEW/CONFIRMATION PROCEEDING - N/A, AND (III) APPELLATE PROCESS - 2-3 MONTHS.
D) PUBLIC DEFENDERS ARE AVAILABLE, BUT ARE CALLED IN AT THE LAST MINUTE (I.E., ONCE THE CASE COMES TO TRIAL). ADEQUATE LAWYERS ARE AVAILABLE WHOSE FEES RANGE FROM $500 - 5,000. E) THERE IS NO PROVISION FOR PAROLE IN CASES INVOLVING NARCOTICS. F) IT IS NOT CUSTOMARY TO EXPEL MINOR OFFENDERS. JORDEN

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Disposition Approved on Date:
Disposition Case Number: n/a
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Disposition Date: 01 jan 1960
Disposition Event:
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Disposition Remarks:
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Secure: OPEN
Status: NATIVE
Subject: NARCOTICS LAWS
TAGS: SNAR, PGOV, PN
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